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Oceans and the law of the sea

Proposed programme budget for the biennium 2018–2019

International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

Programme budget implications of draft resolution A/72/L.7

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 1, 2, 3, 4, 12, 13, 16, 18, 21 and 22 of draft resolution A/72/L.7, the General Assembly would:

(a) Decide to convene an intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the preparatory committee on the elements and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view to developing the instrument as soon as possible;

(b) Decide that negotiations shall address the topics identified in the package agreed in 2011, namely, the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology;

(c) Decide that, initially with respect to 2018, 2019 and the first half of 2020, the conference shall meet for four sessions of a duration of 10 working days each, with the first session taking place in the second half of 2018, the second and

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third sessions taking place in 2019, and the fourth session taking place in the first half of 2020, and request the Secretary-General to convene the first session of the conference from 4 to 17 September 2018;

(d) Decide that the conference shall hold a three-day organizational meeting in New York, from 16 to 18 April 2018, to discuss organizational matters, including the process for the preparation of the zero draft of the instrument;

(e) Decide to invite to the conference representatives of organizations and other entities that have received a standing invitation from the General Assembly pursuant to its relevant resolutions to participate, in the capacity of observer, in its sessions and work, on the understanding that such representatives would participate in the conference in that capacity, and to invite, as observers to the conference, representatives of interested global and regional intergovernmental organizations and other interested international bodies that were invited to participate in relevant conferences and summits;

(f) Decide that attendance at the conference as observers will also be opened to relevant non-governmental organizations in consultative status with the Economic and Social Council in accordance with the provisions of Council resolution 1996/31 of 25 July 1996, as well as to those that were accredited to relevant conferences and summits, on the understanding that participation means attending formal meetings, unless otherwise decided by the conference in specific situations, receiving copies of the official documents, making available their materials to delegates and addressing the meetings, through a limited number of their representatives, as appropriate;

(g) Decide to forward the report of the Preparatory Committee to the conference;

(h) Decide that, except as provided for in paragraphs 17 and 19 of the resolution, the rules relating to the procedure and the established practice of the General Assembly shall apply to the procedure of the conference unless otherwise agreed by the conference;

(i) Request the Secretary-General to appoint a Secretary-General of the conference to serve as focal point within the Secretariat for providing support to the organization of the conference;

(j) Request the Secretary-General to provide the conference with the necessary assistance for the performance of its work, including secretariat services and the provision of essential background information and relevant documents, and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat.

II. Relationship of the proposed requests to the biennial programme plan and priorities for the period 2018–2019 and the proposed programme budget for the biennium 2018–2019

2. The requested activities referred to in the draft resolution relate to programme 1, General Assembly and Economic and Social Council affairs and conference management, programme 6, Legal affairs, programme 24, Public information, and programme 28, Safety and security, of the biennial programme plan and priorities for the period 20182019 (see A/71/6/Rev.1). They also relate to section 2, General Assembly and Economic and Social Council affairs and conference management, section 8, Legal affairs, section 28, Public information,

and section 34, Safety and security, of the proposed programme budget for the biennium 20182019 (A/72/6 (Sect. 2), A/72/6 (Sect. 8) and A/72/6 (Sect. 8)/Corr.1, A/72/6 (Sect. 28) and A/72/6 (Sect. 34), respectively).

III. Activities by which the proposed requests would be implemented

3. In order to successfully implement the mandates set out in draft resolution A/72/L.7, the Secretariat would be required to perform, inter alia, the following functions:

(a) The provision of administrative services for the convening of the intergovernmental conference, including logistical arrangements;

(b) The servicing of meetings of the intergovernmental conference, including plenary and informal meetings, meetings of the Credentials Committee and meetings of any other committee that may be established by the conference;

(c) The preparation of documents, including background materials, summaries of issues and views of delegations, meeting reports and note-taking;

(d) The provision of technical support to the President/Co-Presidents of the conference;

(e) Assistance to delegations, including with regard to participation in the conference, the organization of side events and other queries;

(f) Maintenance of a conference webpage on the website of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs;

(g) The administration of the trust fund established by resolution 69/292, including the management of contributions, reporting, the disbursement of funds and travel management;

(h) The provision of webcast and press coverage.

4. Pursuant to the request contained in operative paragraphs 3 and 4 of the draft resolution, it is envisaged that the following sessions of the intergovernmental conference would be held in New York over the course of 2018, 2019 and 2020:

(a) A 3-day organizational meeting, consisting of 6 meetings to be held in New York from 16 to 18 April 2018;

(b) A 10-day first session, consisting of 20 meetings to be held in New York from 4 to 17 September 2018;

(c) A 10-day second session, consisting of 20 meetings to be held in New York from 25 March to 5 April 2019;

(d) A 10-day third session, consisting of 20 meetings to be held in New York from 3 to 16 September 2019;

(e) A 10-day fourth session, consisting of 20 meetings to be held in New York in the first half of 2020.

The above-mentioned meetings would require interpretation in all six languages and would constitute an addition to the meetings workload of the Department for General Assembly and Conference Management in 2018, 2019 and 2020. This would entail additional resource requirements for meetings services in the amount of $221,000 in 2018, $340,000 in 2019 and $170,000 in 2020.

5. Furthermore, the request for documentation contained in operative paragraphs 1, 2, 3, 4, 12, 13, 16, 18 and 22 of the draft resolution would constitute an addition to the documentation workload of the Department for General Assembly and Conference Management of:

(a) Twenty-one pre-session documents (total of 139,500 words), four in-session documents (total of 8,400 words) and seven post-session documents (total of 45,500 words) in all six languages in 2018;

(b) Twenty pre-session documents (total of 144,400 words), six in-session documents (total of 14,400 words) and eight post-session documents (total of 62,200 words) in all six languages in 2019;

(c) Ten pre-session documents (total of 72,200 words), five in-session documents (total of 32,200 words) and four post-session documents (total of 31,100 words) in all six languages in 2020.

This would entail additional resource requirements for documentation services in the amount of $640,400 in 2018, $728,400 in 2019 and $445,500 in 2020.

6. On the basis of experience with other conferences of a similar nature, resource requirements have been included for press coverage, live webcasts in all official languages and on-demand streaming in English and the original language of the speaker for the conference, and would constitute an addition to the workload of the Department of Public Information in 2018, 2019 and 2020. This would entail additional resource requirements for temporary staff and contractual services in the amount of $50,800 in 2018, $80,600 in 2019 and $40,300 in 2020.

7. In addition, the conference would require the Department of Safety and Security to provide increased coverage for security screening, conference security, and pass and identification activities. This would entail additional resource requirements in the amount of $58,100 in 2018, $90,500 in 2019 and $70,600 in 2020. It is expected that the session in 2020 would require a total of 840 hours of overtime for conference room security officers and supervisors, compared with 427 hours of overtime for conference room security for each of the three sessions in 2018 and 2019, reflecting the anticipated increased number of hours required to complete any negotiation on outstanding matters related to the finalization of the text of the international legally binding instrument.

IV. Modifications required in the programme of work and the proposed programme budget for the biennium 2018–2019

8. To meet the provisions of the draft resolution, the outputs under subprogramme 4 of section 8, Legal affairs, of the proposed programme budget for the biennium 20182019 would need to be amended, as follows:

Paragraph 8.57

In table 8.24, under "Servicing of intergovernmental and expert bodies, and reports thereto (regular budget)":

- Replace output 2 with the following: "2. Intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (80)";
- Add a new output after output 8: "9. Working papers for the intergovernmental conference on an international legally binding instrument under the United

Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (10)" and renumber all subsequent outputs;

- Replace output 9 (renumbered as output 10) with the following: "10. Reports of the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (3)".

V. Financial implications of the proposals

9. Additional one-time resource requirements in the amount of $2,545,300 under section 2, General Assembly and Economic and Social Council affairs and conference management, $171,700 under section 28, Public information, and $219,200 under section 34, Safety and security, would be required under the proposed programme budgets for the bienniums 2018–2019 and 2020–2021 to implement the additional workload. The details of these additional resource requirements are provided in the table below.

(United States dollars)

	Total resource requirements	*Resource requirements for 2018–2019*	*Resource requirements for 2020–2021*
Section 2, General Assembly and Economic and Social Council affairs and conference management			
Simultaneous interpretation	731 000	561 000	170 000
Pre-session documentation	1 170 900	933 900	237 000
In-session documentation	186 900	80 400	106 500
Post-session documentation	456 500	354 500	102 000
Subtotal, section 2	**2 545 300**	**1 929 800**	**615 500**
Section 28, Public information			
Other staff costs	151 800	116 100	35 700
Contractual services	19 900	15 300	4 600
Subtotal, section 28	**171 700**	**131 400**	**40 300**
Section 34, Safety and security			
Other staff costs	219 200	148 600	70 600
Subtotal, section 34	**219 200**	**148 600**	**70 600**
Total	**2 963 200**	**2 209 800**	**726 400**

VI. Potential for absorption during the biennium 2018–2019

10. No provisions have been made under the proposed programme budget for the biennium 2018–2019 for the implementation of the activities requested in operative paragraphs 1, 2, 3, 4, 12, 13, 16, 18, 21 and 22 of draft resolution A/72/L.7. It is not possible at present to identify activities within the relevant sections of the proposed programme budget for the biennium 2018–2019 that could be terminated, deferred, curtailed or modified during the biennium. It is therefore necessary that one-time

resource requirements in the amount of $2,209,800 be provided through an additional appropriation for the biennium 2018–2019.

VII. Contingency fund

11. Under the procedure established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget.

VIII. Conclusion and action required of the General Assembly

12. **Should the General Assembly adopt draft resolution A/72/L.7, additional resource requirements in the amount of $2,209,800, comprising $1,929,800 under section 2, General Assembly and Economic and Social Council affairs and conference management, $131,400 under section 28, Public information, and $148,600 under section 34, Safety and security, would arise under the proposed programme budget for the biennium 2018–2019. The amount of $2,209,800 would require an additional appropriation for the biennium 2018–2019 to be approved by the Assembly and, as such, would represent a charge against the contingency fund.**

13. **Furthermore, resource requirements for 2020 in the amount of $726,400 would be included in the proposed programme budget for the biennium 2020–2021.**